UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TENNESSEE KNOXVILLE DIVISION

TRAVELERS INDEMNITY COMPANY,)	
as subrogee of SMOKY MOUNTAIN)	
LASER and IDM, INC.,)	
)	
Plaintiff,)	
)	
VS.)	CIVIL ACTION NO. 3:02-CV-491
)	(Phillips/Guyton)
OGLE'S REPAIR COMPANY, et al.,)	
)	
Defendants.)	

ORDER

At trial in the above captioned matter, defendants Ronald Ogle and Ogle's Repair Company, Venture Tech, Inc., and Citgo Petroleum Corporation moved for judgment as a matter of law under Rule 50 of the Federal Rules of Civil Procedure. A judgment as a matter of law may be granted if there is no legally sufficient evidentiary basis for a reasonable jury to find for that party on that issue or claim.

For the reasons stated in open court, the motion of Ronald Ogle and Ogle's Repair Company is **DENIED**. As to Venture Tech, Inc.'s motion for judgment as a matter of law, said motion is **DENIED** as to all theories with the exception of the breach of warranty claim. Judgment will be entered in favor of Venture Tech, Inc. with respect to the breach of warranty claim. Lastly, defendant Citgo Petroleum Corporation's motion for judgment as a matter of law is **GRANTED**, and Citgo Petroleum Corporation is **DISMISSED** from the case.

IT IS SO ORDERED.

ENTER:	
s/Thomas W.	Phillips
UNITED STAT	TES DISTRICT JUDGE